

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

OUTSOURCING FACILITIES
ASSOCIATION and NORTH AMERICAN
CUSTOM LABORATORIES, LLC d/b/a
FARMAKEIO CUSTOM COMPOUNDING,

Plaintiffs,

v.

UNITED STATES FOOD AND DRUG
ADMINISTRATION and DR. ROBERT M.
CALIFF,

Defendants.

CASE NO. 4:24-cv-953-P

ELI LILLY AND COMPANY'S MOTION TO INTERVENE

Pursuant to Rules 24(a) and (b) of the Federal Rules of Civil Procedure and Rule 7.1 of the Local Civil Rules of the Northern District of Texas, Eli Lilly and Company ("Lilly") respectfully moves to intervene as a matter of right or, alternatively, with the permission of this Court, for the reasons set forth in the accompanying brief. Lilly conferred with counsel for both parties. Defendants do not oppose Lilly's request but Plaintiffs Outsourcing Facilities Association and North American Custom Laboratories, LLC d/b/a FarmaKeio Custom Compounding are opposed.

Lilly also asks that its deadline for filing a responsive pleadings be set to match that of Defendants. *See, e.g.*, ECF No. 33. All parties confirmed that they do not object to Lilly observing the responsive pleading deadline that applies to the defendants, if Lilly is allowed to intervene.

Dated: January 1, 2025

Respectfully submitted,

/s/ Dee J. Kelly, Jr.

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ELI LILLY AND COMPANY

CERTIFICATE OF SERVICE

I hereby certify that on January 1, 2025, I served the foregoing document electronically in accordance with the Federal Rules of Civil Procedure.

/s/ Dee J. Kelly, Jr.

Dee J. Kelly, Jr.

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Eli Lilly and Company has conferred with counsel for Plaintiffs and counsel for Defendants via email on December 26 and 30, 2024. Plaintiffs are opposed and Defendants are unopposed to Lilly's motion to intervene. All parties are unopposed to Lilly's request to be allowed to follow the same schedule for responsive pleadings that applies to the defendants.

/s/ Dee J. Kelly, Jr.

Dee J. Kelly, Jr.